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THE ANTI-IMPERIALIST ANTI-RACIST ORGANISATION

Liberation

INCORPORATING THE MOVEMENT FOR COLONIAL FREEDOM

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INCORPORATING THE MOVEMENT FOR COLONIAL FREEDOM (MCF) founded by our late President FENNER BROCKWAY
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Oral Statement
COMMISSION ON HUMAN RIGHTS
46th session, March 1990, Geneva

item 19: Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

Allow me first to refer to Chapter I, Section C of the Sub-Commission's Report, pertaining to the Sub-Commission's resolution 1987/7 drawing attention to conditions in East Timor and expressing the hope that the Commission will consider the human rights situation and fundamental freedoms in East Timor.

Our organization, *Liberation*, welcomes the many statements by member-states, observer-states and NGOs at the present session, recording that the human rights situation in East Timor has further deteriorated since the Sub-Commission met last August. We are satisfied that the Commission has indeed given due consideration to the absuses which continue to bear down on the long-suffering people of East Timor. We welcome in particular the concern expressed in the statement on behalf of the twelve under item 12 of the agenda. Furthermore, Mr. Tim Sainsbury, Parliamentary Under Secretary of State at the Foreign Office, has expressed serious concern regarding the incident in Dili on 17 January during the US ambassador's visit. Replying on 21 February to Lord Avebury, chair of the Parliamentary Human Rights Group, Mr. Sainsbury said: "*We agree with you that this incident is serious. It is the latest of several incidents involving excesses of the military and will do nothing to bring any closer the settlement we all seek.*

Those wo try to conceal the facts about conditions in East Timor have themselves admitted in their own statement under item 12 that the Commission has been given, and we hope, (and I quote) "*a gloomy picture of human rights in Indonesia... particularly in East Timor*" (unquote). Yes, indeed! They even suggested that torture, detention without trial and disappearances (and I quote again) "*do not necessarily exist*" in East Timor. This Madame Chairperson, is the closest the authorities now in control in East Timor have ever come to admitting that these abuses *might very well exist*!

It is not helpful to assert that many more tourists visited the territory in 1989 than in the previous year, bearing in mind that until 1989, no tourists were allowed in at all. But more important for the Commission in responding to the Sub-Commission's resolution on East Timor is the fact that brief visits by foreign dignitaries or journalists are no substitute for visits by human rights organizations for the purpose of examining questions of relevance to this Commission's work. This is what the Sub-Commission has called for but unfortunately the Indonesian authorities still persist in refusing entry to East Timor for such purposes. We urge the Commission to pursue this recommendation vigorously with the Indonesian authorities.

And now referring to the draft decision 4 contained in chapter I, section B of the report of the Sub-Commission with the task of preparing a study of national experience in the protection of minorities, I would draw your attention to the situation in the Province of Kosova (Yugoslavia), which has been deteriorating more and more after the constitutional changes of 1989.

The status of the autonomy has been greatly reduced through these changes, which is one of the reasons of the protests from the Albanian population, protests that were met twice by the declaration of the state of emergency in the Province.

The Albanian population in Kosova and other parts of Yugoslavia is an original population that has lived there since very ancient times. According to the well-noted historian, Alexsander Stipcevic, and many other Western historians, as well as Albanian ones, the Albanian national derives from the Illyrians, who inhabited the Balkan Peninsula since the dawn of times. Even the Serbian historian Vasa Cubrilovic, who was notorious for his project of expelling the Albanian population from the territories which make today's Yugoslavia and colonizing them with Slavic populations, had admitted that the Albanian population was present in Kosova before the XVth century. This minority, if we may call it that, considering it represents over 40 per cent of the entire Albanian nation, and comprises the third most numerous national group in Yugoslavia (after the Serbs, and Croats) has never in fact enjoyed equal rights, except between 1974 and 1981, and its position is getting worse as a result of the constitutional changes imposed by Serbia only a year ago.

By virtue of the amendments to the Yugoslav Constitution of 1972 and of 1974, the Autonomous Province of Kosova was a constitutive element of the Federation and a component part of the Republic of Serbia, with equal rights in the House of Republics and Provinces of the Federal Assembly.

According to articles 300 and 301 of the Constitution of Serbia, no question related to the rights of nationalities and minorities could be passed in the Republican Assembly without the approval of the Provincial Assemblies of Kosova and Vojvodina. Following the new changes, since 28 March 1989, the Republic of Serbia has been unified, and all the

competences of the provinces, based on articles 300 and 301 of the Constituion of Serbia, are regulated without the consent of the provincial assemblies.

This abolition of autonomy has caused a great stir among the Albanian population which is demanding more autonomy. World opinion is aware of the tragic events that took place recently in the area. The most recent intervention by the security forces against peaceful demonstrators demanding democracy, equality and more rights, resulted in more casualties: 35 people were shot dead by the police forces, 204 wounded. But this tragic incident is not the only thing on which I wish to draw your attention.

Since 1981, a discriminatory policy of the state against the Albanians has been in effect. Under the pretext of fighting "the enemy", counterrevolution and separatism, up until 1988, no fewer than 584,373 people passed through the hands of police in Kosova alone. That is almost every third Albanian in Kosova. Since 1988 this number has continued to rise; hundreds of intellectuals have been isolated, including engineers, economists, judges, teachers, scientists and artists. Albanian account for over 90 per cent of all political prisoners in Yugoslavia. In a letter addressed to the Presidency of Yugoslavia, a noted intellectual from Kosova, Mr. Rexhep Qosha, states that during the last nine years an unprecedented campaign against the Albanians has been going on. Although Yugoslavia is in the process of democratization, in Kosova violations of individual, collective and minority rights go unnoticed. The Albanians have been denied the right to freedom of assembly, to freely elect representatives to the organs of the State and to the Party which is in power. They have no autonomous rights in educational planning and schooling, the developoment of their art and culture, economical and urban planning, etc.

The most acute problem is the enraged state of the security forces under the state of emergency which has been in force for almost a year now, whose members enter private homes, beat up and abuse children, women and elderly people, offending their dignity as persons and family members.

The desire of the Albanian population is to solve the problem of Kosova through dialogue and not by use of force in order to avoid grave consequnces for all. For this, an open democratic dialogue with all parties should begin, using positive values. This, no doubt, would bring about an acceptable solution for all; Albanians, Serbs and Montenegrians. It is in the interest of the regional and European peace that this be done.

In view of the gravity of this situation and of similar situations involving ethnic, national, religious or

linguistic minorities and human and people's rights in the world. We urge the Commission of Human Rights to request the Secretary General to appoint an independent person of standing as mediator to assist in seeking peaceful solutions to such difficult and explosive situations involving both minority issues and questions of human and people's rights, in particular in Kosova.